

DISTRICT	OFF.	DOCKET NO. YR. NUMBER	OR	FILING DATE MO. DAY YR.	J	TYPE SUIT	PLT	DEF	R 23	AMOUNT THOUSANDS	JUDGE	NAME	COUNTY	JURY DEM.	DOCKET YR. NUMBER	
5	89	1457	1	11 21 89	4	350	2	1		105000	2511		54019	P	89	1457

PLAINTIFFS

PRITCHARD, MICHAEL JR.

DEFENDANTS

TOWN OF FAYETTEVILLE,
FAYETTEVILLE POLICE DEPARTMENT,
OFFICER SMITH, R. R.,
OFFICER CURRY, WILLIAM,
FAYETTE COUNTY,
FAYETTE COUNTY SHERIFF'S DEPARTMENT,
SHERIFF'S DEPUTY MARTIN, C. E.,
SMITH, WILLIAM D., HAGUE, ANNA, and
THE STATE OF WEST VIRGINIA -- Per Voluntary
Dismissal filed 5-22-90

CONSOLIDATED WITH CIVIL ACTION NO. 5:89-1470. LEAD CASE: 5:89-1457. (Pur. Order of 01-03-91)

CAUSE

(CITE THE U.S. CIVIL STATUTE UNDER WHICH THE CASE IS FILED AND WRITE A BRIEF STATEMENT OF CAUSE)

Complaint for personal injury; civil rights violation; defective design; punitive damages arising from car accident.

slr

ATTORNEYS

Jeremy West, Esq.
4012 Rolling Green Lane
Villa Heights, CA 92667

P. Rodney Jackson
DI TRAPANO & JACKSON
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FAYETTE COUNTY SHERIFF'S
Department and
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ANNA HAGUE & WILLIAM D. SMITH:

James M. Henderson, II
P.O. Drawer W
Beckley, WV 25802-2820

TOWN OF FAYETTEVILLE,
FAYETTEVILLE POLICE DEPT.
OFFICER R.R. SMITH AND
OFFICER WILLIAM CURRY

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CHECK HERE IF CASE WAS FILED IN FORMA PAUPERIS	FILING FEES PAID			STATISTICAL CARDS	
	DATE	RECEIPT NUMBER	C.D. NUMBER	CARD	DATE MAILED
				JS-5	11/28/89
				JS-6	
UNITED STATES DISTRICT COURT DOCKET				DC-111 (Rev. 8/87)	

DATE	NR.	PROCEEDINGS	
11-21-89	1	COMPLAINT: Iss. orig. and two S & C, ret. 30 days, for each deft., to counsel for Pltf. (Iss. in Chas.)	slr
03-28-90	2	SUBSTITUTION OF ATTORNEY for Pltf.	fjd
04-05-90	3	STATEMENT OF VISITING ATTORNEY of Jeremy H. West.	slr
	4	SUBSTITUTION of Attorney of Pltf., substituting Robert B. Berthold, Jr. and William M. Tiano as attys. of record in place of DiTrapano and Jackson. (COPY)	slr
04-12-90 s	5	RETURNS on Summons. 4/11/90 John L. Bensey served as to Town of Fayetteville, Mayor James Murdock, served Jody Pogorelski, Secy. Town Hall, Fayette Co. Sheriff's Dept. Sheriff, Bill Laird served Fayette co. Sheriff's Dept. 4/11/90 Sheriff's Deputy C. E. Martin, Place of Employment, Fayette County Sheriff's Dept with Sheriff Bill Laird. As to Anna Hague, per. at 100 Bunch St. Oak Hill, William Smith left copies at Deft's. dwelling house with Ann Hague, Officer William Curry, Place of employment, Chief of Police T. M. Hunsaker, Fayetteville Police Dept. T.M. Hunsaker, Chief of Police, Officer R.R. Smith, Place of Employment, Chief of Police James McCoy, Fayette County Commissioner, John Whitt, Place of employment, Admir. Charlotte Holly, Fayette Co. Commission, State of W.Va. Dept of Highways, Acting Commissioner, Fred VanKirk, State Capitol Complex, Bldg. #5, Served Dept. of Highways, State Capitol Complex, Chas. All served 4/11/90	fjd
04-19-90	6	MOTION of Defts. Fayette Co., Fayette co. Sheriff's Dept. and C.E. Martin, to Dismiss of the Defts, Fayette Co. Commission/Fayette County Sheriff's Department and C. E. Martin.	fjd
	*	MEMORANDUM in Support of Motion to Dismiss.	fjd
05-01-90	7	ANSWER and CROSSCLAIM of Deft. Anna Hague to the Complaint filed Against Her Herein.	slr
	8	MOTION of Deft. William D. Smith to Dismiss.	slr
05-03-90	9	ANSWER of Deft. Town of Fayetteville, Fayetteville Police Department, Officer R.R. Smith and Officer William Curry.	cds
05-08-90	10	CERTIFICATE OF SERVICE of Defendant's Town of Fayetteville, Fayetteville Police Department, Officer R.R. Smith and Officer William Curry.	cds
05-11-90	10A	RETURN OF SERVICE of Summons & Complaint on WILLIAM SMITH personally 5/10/90.	cds
05-14-90	**	RESPONSE of Plaintiff to the Defts. Fayette County, Fayette County Sheriff's Dept. and C.E. Martin's Motion to Dismiss.	cds
05-14-90	**	MEMORANDUM of Plaintiff in Opposition to Def-s., Fayette County Commission, Fayette County Sheriff's Dept. and C.E. Martin's Motion to Dismiss.	cds
05-18-90	11	AMENDED ANSWER & CROSSCLAIM of the Deft. Anna Hague to the Complaint filed against her herein.	cds
05-18-90	12	MOTION of Deft. William D. Smith, to Dismiss w/ MEMORANDUM in support thereof.	cds
05-22-90	13	NOTICE OF VOLUNTARY DISMISSAL of the Pltf. dismissing the State of West Virginia as a party to the action.	cds
	14	Pltf's. MOTION in Response to the Deft's. William D. Smith's Motion to Dismiss.	
		MEMORANDUM in Response to the Deft. William D. Smith's Motion to Dismiss.	fjd

DC RIA
(EW 1/75)

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. 5:89-1457
PRITCHARD, MICHAEL, JR.		TOWN OF FAYETTEVILLE, ET AL	PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	
06-06-90	15	ANSWER of The Fayette County Commission/Fayette County Sheriff's Department and C. E. Martin to the Cross-Claim of Anna Hague; Cross-Claim of the Fayette County Commission/Fayette County Sheriff's Department and C. E. Martin against Ann Hague.	
06-07-90	16	CERTIFICATE OF SERVICE of Answer of Fayette Co. Commission/Fayette Co. Sheriff's Dept. & C.E. Martin to the Cross-Claim of Anna Hague; Cross-Claim of the Fayette Co. Commission/Fayette Co. Sheriff's Dept. & C.E. Martin against Anna Hague. (Called counsel & Advised that we need <u>actual</u> answer.	cds
06-07-90	**	TALKED with counsel & was advised that document #15 is <u>actual</u> document.	cds
06-08-90	17	ANSWER of Deft. Anna Hague, to the Cross-claim of Fayette County Comm./Fayette County Sheriff's Dept. and C. E. Martin.	slr
07-02-90	18	DECLARATION of Jeremy H. West in Opposition to Motions of Defts. William D. Smith, Fayette County Commission/Fayette County Sheriff's Dept., and C.E. Martin, to Dismiss Complaint for Failure to Effect Service within 120 days.	slr
07-23-90	19	ANSWER of Defts. Town of Fayetteville, Fayetteville Police Dept., Officer R. R. Smith and Officer William Curry to the Cross-Claim of Anna Hague and Cross-Claim of Defts. the Town of Fayetteville, Fayetteville Police Dept., Officer R. R. Smith and Officer William Curry Against Deft. Anna Hague.	slr
07-24-90	20	MOTION of Defts. Town of Fayetteville, Fayetteville Police Dept., Officer R. R. Smith and Officer William Curry to Compel.	slr
07-26-90	21	ANSWER of the Deft. Anna Hague, to the Cross-Claim of the Defts. The Town of Fayetteville, Fayetteville Police Dep.t, Officer R. R. Smith and Officer William Curry, filed Against Her Herein.	slr
07-30-90	22	ANSWER of Defts. Town of Fayetteville, Fayetteville Police Dept., Officer R. R. Smith, and Officer William Curry to the Cross-Claim of William D. Smith and Cross-Claim of Defts. the Town of Fayetteville, Fayettevile Police Dept. Officer R. R. Smith and Officer William Curry Against Deft. William D. Smith.	slr
08-03-90	23	CERTIFICATE OF SERVICE for Answer of Pltf. Michael Pritchard, Jr. to First Set of Interrogatories and Request for Production of Documents Propounded by Town of Fayetteville, Fayetteville Police Dept., Officer R. R. Smith and Officer William Curry, served upon counsel of record on 07-30-90.	slr
08-10-90	24	ANSWER of the Deft. William D. Smith, to the Cross-claim of the Defts., the Town of Fayetteville, Fayeetteville Police Dept., Officer R. R. Smith and Officer William Curry, filed against him herein.	slr
10-09-90	25	CERTIFICATE OF SERVICE of Defts.' (Fayette Co. Commission/Fayette Co. Sheriff's Dept. and C.E. Martin) to Pltf.'s First set of Interrogatories upon William M. Tiano, James M. Henderson, II, Fred A. Jesser, III, Steven P. McGowan and Jeremy H. West.	rle

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>5:89-1457</u>
MICHAEL PRITECHARD, JR.,		TOWN OF FAYETTEVILLE, et al	PAGE <u>R</u> OF <u> </u> PAGES
DATE	NR.	PROCEEDINGS	PAGE <u>R</u> OF <u> </u> PAGES
10-04-90	26	TIME FRAME ORDER (2511): joinder & 12(b) mtns. 11-13-90; disc. 12-13-90; disp. mtns. 1-2-91, response 1-16-91 and reply 1-23-91; PTO 1-23-91; Mtns. in limine 2-19-91, responses 3-5-91; PTC 2-25-91 10:00 a.m., BK; FSC 3-11-91 10:00 a.m., BK: TRIAL 3-12-91 9:30 a.m., BK, etc. cc/counsel. cds	
10-15-90	27	RETURN OF SERVICE on Betty L. Moore, personally served on 8-23-90.	rle
10-29-90	28	CERTIFICATE OF SERVICE by Deft. of Interrogatories of the Fayette County Commission/Fayette County Sheriff's Department and C.E. Martin to Pltf. - Set No. One; service made upon William M. Tiano, James M. Henderson, II, W. Randolph Fife and Jeremy H. West by US Mail on 10-26-90.	rle
10-29-90	29	CERTIFICATE OF SERVICE by defts. of Request for Production of Documents of the Fayette County Commission/Fayette County Sheriff's Dept. and C.E. Martin to Pltf 0 Set No. One. Service made upon William M. Tiano, James M. Henderson, II, W. Randolph Fife and Jeremy H. West by US Mail on 10-26-90.	rle
10-31-90	30	CERTIFICATE OF SERVICE by DEft. of Response of Deft. Town of Fayetteville to Pltf.'s First Interrogatory; service made upon William M. Tiano, Jeffrey M. Wakefield, Jeremy H. West and James M. Henderson by US Mail on 10-30-90.	rle
11-02-90	31	CERTIFICATE OF SERVICE for Defts. Fayette County Commission/Fayette County Sheriff's Dept. and C. E. Martin Interrogatories - Set No. 2, served upon counsel of record on 11-01-90.	slr
12-14-90	32	NOTICE OF MOTION TO COMPEL by Deft. w/CERTIFICATE OF SERVICE upon opposing counsel.	rle
12-28-90	33	JOINT MOTION to Consolidate Cases (5:89-1457 and 5:89-1470) for Purposes of Discovery and Trial and JOINT MOTION for Entry of a New Time Frame Order.	slr
01-02-91	34	MOTION of Defts. Fayette Co. Comm./Fayette Co. Sheriff's Dept. and C. E. Martin for Extension of Time to File Disp. Mtns. (Proposed Order on Left of File)	slr
01-03-91	35	ORDER (2511): granting parties' joint motions to consolidate cases for the purposes of Disc. and Trial and for entry of new TFO. The Clerk shall enter a new TFO establishing a disc. cut-off date of 04-22-91. cc: atys. (EOD 01-04-91)	slr
01-15-91	36	TIME FRAME ORDER (2511): Disc. shall be completed by 04-22-91; S/J and Disp. Mtns. shall be filed by 05-13-91, w/resp. by 05-28-91 and reply by 06-04-91. PTO shall be submitted to the Court for entry by 06-04-91. Mtns. in Limine shall be filed by 06-25-91 w/resp. due by 07-09-91. Charges to the Jury/Findings of Fact and Conclusions of Law shall be submitted to the Clerk by 09-03-91. PTC shall be held on 08-26-91, 1:30 p.m., BK. FSC shall be held 09-09-91, 10:00 a.m., BK. Trial shall commence on 09-10-91, 9:30 a.m., BK. cc: atys. (EOD 01-16-91)	slr

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. 5:89-1457
MICHAEL PRITCHARD		Town of Fayetteville, et. al.	PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	
01-29-91	37	CERTIFICATE OF SERVICE of Deft. Town of Fayetteville's Interrogatory to DEft. William Smith.	
01-29-91	38	CERTIFICATE OF SERVICE fo Deft. Town of Fayetteville's Interrogatory to Pltf. Lewis E. Arbogast.	
02-04-91	39	NOTICE of Deft. Fayette Co. Commission/Fayette Co. Sheriff to depose Lewis E. Arbogast on 2-18-91 at 10:00 a.m., BK.	
03-20-91	40	CERTIFICATE OF SERVICE of Deft Town of Fayetteville's Supplemental Interrogatories to Deft William Smith.	
03-20-91	41	CERTIFICATE OF SERVICE of Deft Town of Fayetteville's Interrogatory to Pltf Michael Pritchard.	
03-20-91	42	CERTIFICATE OF SERVICE of Deft Town of Fayetteville's Supplemental Interrogatory to Pltf Lewis E. Arbogast.	
03-21-91	43	NOTICE of deft WV DOH of hearing on Motion to Dismiss of Deft WVDOH, w/ CERTIFICATE OF SERVICE upon opposing counsel.	
03-22-91	44	CERTIFICATE OF SERVICE by pltf Pritchard of Answers of Pltf Michael Pritchard, Jr. to First Set of Interrogatories Propounded by Defts Fayette County Commission Fayette County Sheriff's Dept and C.E. Martin upon opposing counsel.	
03-25-91	45	CERTIFICATE OF SERVICE of pltf's Request for Admissions Propounded by Pltf, Michael Lee Pritchard, Jr., to Defts William D. Smith and Anna Hague - Second Set.	
03-25-91	46	CERTIFICATE OF SERVICE by pltf of Request for Admissions as to Authenticity of Documents Propounded by Pltf Michael Lee Pritchard, Jr. to Defts Town of Fayetteville, Fayetteville Police Dept and Ofcr R. R. Smith - First Set.	
03-25-91	47	CERTIFICATE OF SERVICE by pltf of Request for Admissions as to Authenticity of Documents Propounded by Pltf Michael Lee Pritchard, Jr. to Defts Fayette Co, Fayette Co Sheriff's Dept and Sheriff's Deputy C. E. Martin - First Set.	
03-25-91	48	CERTIFICATE OF SERVICE by pltf of Request for Admissions as to Authenticity of Documents Propounded by Pltf Michael Lee Pritchard, Jr. to Defts William D. Smith and Anna Hague - First Set.	
03-25-91	49	CERTIFICATE OF SERVICE by pltf of Interrogatories Propounded by Pltf Michael Lee Pritchard, Jr. to Defts Fayette Co, Fayette Co Sheriff's Dept, and Sheriff's Deputy C. E. Martin - Set No Two.	
03-25-91	50	CERTIFICATE OF SERVICE by pltf of Interrogatories Propounded by Pltf Michael Lee Pritchard, Jr., to Defts Town of Fayetteville, Fayetteville Police Dept and Ofcr R. R. Smith - Set No. Two.	
03-25-91	51	CERTIFICATE OF SERVICE by pltf of Interrogatories Propounded by Pltf Michael Lee Pritchard, Jr. to Defts William D. Smith and Anna Hague - Set No One.	

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. 5:89-1457
MICHAEL PRITCHARD, JR.		TOWN OF FAYETTEVILLE, et al.	PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	
03-25-91	52	CERTIFICATE OF SERVICE by pltf of Request for Production of Documents Propounded by Pltf Michael Lee Pritchard, Jr. to Defts William D. Smith and Anna Hague - Set No One.	rle
03-25-91	53	CERTIFICATE OF SERVICE by pltf of Request for Production of Documents Propounded by Pltf Michael Lee Pritchard, Jr to Defts Fayette Co, Fayette Co Sheriff's Dept, Sheriff's Deputy C. E. Martin - Set No ONe.	rle
03-25-91	54	CERTIFICATE OF SERVICE by pltf of Request for Production of Documents Propounded by Pltf Michael Lee Pritchard, Jr. to Defts Town of Fayetteville, Fayetteville Police Dept, Ofcr William Curry and Ofcr R. R. Smith - Set No One.	rle
03-26-91	55	MOTION of Deft Town of Fayetteville to Compel Against Deft William Smith.	rle
03-26-91	56	MOTION of Deft Town of Fayetteville to Compel Against Pltf Lewis E. Arbogast.	rle
03-26-91	57	CERTIFICATE OF SERVICE of Pltf's Interrogatories to the Deft, Town of Fayetteville.	rle
03-26-91	58	CERTIFICATE OF SERVICE of Pltf's Interrogatories to Deft, Fayette Co Sheriff's Dept.	rle
03-26-91	59	CERTIFICATE OF SERVICE of Pltf's Response to Deft Town of Fayetteville's Supplemental Interrogatory to Pltf Lewis E. Arbogast.	rle
04-01-91	60	CERTIFICATE OF SERVICE by pltf of Pltf, Michael Lee Pritchard, Jr.'s Supplemental Answer to Interrogatory No. 6 of Interrogatories propounded by Defts Town of Fayetteville, Fayetteville Police Dept, Officer R. R. Smith and Officer William Curry to Pltf - Fist Set.	rle
04-08-91	61	NOTICE OF DEPOSITION of deft to depose Lewis E. Arbogast via telephone on 4-9-91 at 4:00 p.m.	rle
04-16-91	62	NOTICE OF DEPOSITIONS of Kenneth/Dennis Bryant and Gene Dean Gamble by deft, scheduled for 5-3-91 at 10:00 a.m., BK	rle
04-16-91	63	NOTICE OF DEPOSITION by deft to depose Michael Pritchard's expert, Robert DiGrazia on 4-20-91 at 10:30 a.m., Annapolis, MD.	rle
04-16-91	64	CERTIFICATE OF SERVICE by Deft of Notices of Depositions upon counsel of record.	rle
04-18-91	65	NOTICE OF SERVICE by deft of Answers of the Defts William D. Smith and Anna Hague to the Interrogatories - Set No. One of Pltf Michael Lee Pritchard.	rle
04-18-91	66	NOTICE OF SERVICE by deft of Answer of Deft, William D. Smith, to the Interrogatory of Deft, Town of Fayetteville.	rle
04-18-91	67	NOTICE OF SERVICE by deft of Answers of Deft, William D. Smith, to the Supplemental Interrogatories of Deft, Town of Fayetteville.	rle

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>5:89-1457</u>
MICHAEL PRITCHARD, JR.		TOWN OF FAYETTEVILLE, et al	PAGE <u> </u> OF <u> </u> PAGES
DATE	NR.	PROCEEDINGS	R

04-18-91	68	NOTICE OF SERVICE by Deft of Responses to the Defts William D. Smith and Anna Hague to the Request for Admissions as to Authenticity of Documents Propounded by Pltf, Michael Lee Pritchard, Jr. - First SET.	rle
04-18-91	69	NOTICE OF SERVICE by Deft of Responses to the Defts, William Smith and Anna Hague, to Pltf's Request for Admissions - SEcond SET.	rle
04-22-91	70	CERTIFICATE OF SERVICE by Defts of Responses of Defts Town of Fayetteville, Fayetteville Police Dept and Ofcr R. R. Smith to Pltf Michael Lee Pritchard, Jr.'s Request for Admissions as to Authenticity of Documents.	rle
04-22-91	71	CERTIFICATE OF SERVICE by Pltf of Answers of Pltf Michael Lee Pritchard, Jr. to Interrogatories of the Fayette County Sheriff's Dept and C. E. Martin - Set No. Two.	rle
04-22-91	72	STIPULATION of parties to extend discovery cut-off. (orig in 5:89-1470)	rle
04-23-91	73	CERTIFICATE OF SERVICE of Pltf, Michael Lee Pritchard, Jr.'s Answer of Pltf to Deft Town of Fayetteville's Interrogatory.	rle
04-23-91	74	CERTIFICATE OF SERVICE of Responses of Defts Town of Fayetteville, Fayetteville Police Dept, Officer William Curry and Officer R. R. Smith to Pltf Michael Lee Pritchard, Jr.'s Second Set of Interrogatories.	rle
04-23-91	75	CERTIFICATE OF SERVICE by Defts Fayette County Commission/Fayette Co Sheriff's Dept and C. E. Martin to Answers of the Defts to the Interrogatories Propounded by Pltf Michael Lee Pritchard, Jr. - Set No. Two.	rle
04-23-91	76	CERTIFICATE OF SERVICE by Pltf of Pltf's Response to First Request for Production of Documents Propounded by Defts Fayette Co Sheriff's Dept and C. E. Martin.	rle
04-23-91	77	CERTIFICATE OF SERVICE by Defts of Responses of Defts, Fayette Co Commission/Fayette Co Sheriff's Dept and C. E. Martin, to the Request for Admissions as to Authenticity of Documents Propounded by Pltf, Michael Lee Pritchard, Jr. - Set One.	rle
04-23-91	78	CERTIFICATE OF SERVICE by defts of Response of the Defts, Fayette Co Commission/Fayette Co Sheriff's Dept and C. E. Martin, to the Request for Production of Documents Propounded by Pltf Michael Lee Pritchard, Jr. - Set No. One.	rle
04-23-91	79	CERTIFICATE OF SERVICE by defts of Response of Defts Fayette Co Commission/Fayette Co Sheriff's Dept and C. E. Martin to Pltf's Interrogatories.	rle
04-25-91	80	NOTICE OF DEPOSITION by Defts to depose Dr. Donald Newell, Sr. on 5-3-91 at 2:00 p.m., BK	rle
04-30-91	81	AMENDED NOTICE OF DEPOSITION by Defts to depose Dr. Donald Newell, Sr. on 5-3-91 at 3:00 p.m. in BK.	rle

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. 5:89-1457
MICHAEL PRITCHARD, JR.		TOWN OF FAYETTEVILLE, et al	PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	R
05-06-91	82	NOTICE OF SERVICE by Defts, William D. Smith and Anna Hague, to Pltf's REQuest for Production of Documents upon counsel of record.	rle
05-14-91	83	NOTICE OF MOTION by Deft Anna Hague, and MOTION for Summary Judgment.	rle
05-14-91	84	MOTION FOR SUMMARY JUDGMENT and MEMORANDUM in Support of that Motion of Defts Town of Fayetteville, Fayetteville Police Dept, Officer R. R. Smith and Officer William Curry.	rle
05-14-91	85	MOTION FOR SUMMARY JUDGMENT by Defts Fayette Co Commission, Fayette Co Sheriff's Dept and Deputy C. E. Martin w/Exhibits A through Y.	rle
05-15-91	86	NOTICE OF SERVICE by Deft William D. Smith and Anna Hague of Supplemental Response of Deft William D. Smith and Anna Hague to Pltf's Request for Production of Documents.	rle
05-24-91	87	MOTION of Pltf, Lewis E. Arbogast, Adm. of the Estate of Lisa Arbogast to Extend Time w/in which to File and Serve the Pltfs' Oppositions to the Defts' Motions for Summary Judgment, w/CERTIFICATE OF SERVICE.	rle
05-24-91	88	SUPPLEMENTAL MOTION of Pltf, Lewis E. Arbogast, Adm of the Estate of Lisa Arbogast, to Extend Time w/in which to File and SERve the Pltfs' Oppositions to the Defts' Motions for Summary Judgement.	rle
05-24-91	89	CERTIFICATE OF SERVICE by Deft, Town of Fayetteville, of Notice of Depositions upon counsel of record.	rle
05-24-91	90	NOTICE OF DEPOSITIONS by Deft, Twon of Fayetteville, to depose: Dr. James Knight on 5-28-91 at 9:30 a.m., Laguna Niguel, CA; Dr. Raymond Schultz on 5-19-91 at 10:00 a.m., Pasadena, CA; Dr. Lawrence Miller on 5-29-91 at 3:30 p.m., in Glendale, CA; Margaret Murphy on 5-29-91 at 5:00 p.m., South Pasadena, CA; Dr. Judith Sill on 5-30-91 at 10:00 a.m., Oceanside, CA; and Dr. Leonard Matheson on 5-30-91 at 3:30 p.m., Santa Ana, CA.	rle
05-28-91	91	AMENDED NOTICE OF DEPOSITON by Deft Town of Fayetteville to depose: Dr. James Knight on 5-28-91 at 9:30 a.m., Laguna Niguel, CA; Dr. Raymond Schultz on 5-29-91 at 10:00 a.m.; Dr. Lawrence Miller on 5-29-91 at 3:30 p.m.; Dr. Judith Sill on 5-30-91 at 9:45 a.m.; and Dr. Lenard Matheson on 5-30-91 at 3:30 p.m.	rle
05-30-91	92	ORDER(2511): Motion to Dismiss the WV Dept of Highways of State of WV, based on lack of subject matter jurisdiction pursuant to the Eleventh Amendment of US Constitution is GRANTED and this civil action against the WV Dept of Highways of the State of WV, including all claims and cross-claims against it are dismissed. cc: counsel of record (EOD 05-30-91)	rle
06-03-91	93	ORDER (2511): pltfs. motion for extension of time to file ar esponse to defts. motions for s/j is GRANTED; pltfs. are to file w/clerk their responses to defts. motions for s/j on or before 6-7-91; counsel for defts. are ordered to file any reply with Clerk on or before 6-17-91; current TFO remains in full force & effect. cc/counsel.	cds

CIVIL DOCKET CONTINUATION SHEET

INTIFF		DEFENDANT	DOCKET NO. 5:89-1457
MICHAEL PRITCHARD, JR.		TOWN OF FAYETTEVILLE, et. al.	PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	R
06-11-91	94	JOINT MEMORANDUM OF CONSOLIDATED PLTFS , Michael Pritchard, Jr. and Lewis E. Arbogast, Administrator, in Opposition to Motions of Defts Town of Fayetteville, Fayetteville Police Dept, Officer R. R. Smith and Officer William Curry, and Defts Fayette Co, Fayette Co Sheriff's Dept, and Sheriff's Deputy C. E. Martin for Summary Judgments -- VOLUME I.	rle
06-11-91	95	JOINT MEMORANDUM OF CONSOLIDATED PLTFS , Michael Pritchard, Jr. and Lewis E. Arbogast, Administrator, in Opposition to Motions of Defts Town of Fayetteville, Fayetteville Police Dept, Officer R. R. Smith and Officer William Curry, and Defts Fayette Co, Fayette Co Sheriff's Dept, and Sheriff's Deputy C. E. Martin for Summary Judgments -- VOLUME II.	rle
06-12-91	96	PRETRIAL ORDER of Defts William D. Smith and Anna Hague.	rle
06-13-91	97	JOINT MEMORANDUM of Consolidated Pltfs. Michael Pritchard, Jr. and Lewis E. Arbogast, Administrator, in Oppositoon to Mtns. of Defts. Town of Fayetteville, Fayetteville Police Dept., Officer R. R. Smith, and Officer William Curry and Defts. Fayette County, Fayette Co. Sheriff's Dept., and Sheriff's Deputy C. E. Martin for S/J. (Volume I)	slr
	98	JOINT MEMORANDUM of Consolidated Pltfs. Michael Pritchard, Jr. and Lewis E. Arbogast, Administrator, in Opposition to Mtns. of Defts. Town of Fayetteville, Fayetteville Police Dept., Offcer R. R. Smith, and Officer William Curry, and Deft.'s Fayette County, Fayette Co. Sheriff's Dept., and Sheriff's Deputy C. E. Martin for S/J. (Volume II)	
06-17-91	99	JOINT MOTION of Defts, Fayette Co Commission/Fayette Co Sheriff's Dept and C. E. Martin ("County Defts") and Town of Fayetteville, Fayetteville Police Dept, Officer R. R. Smith and Officer William Curry ("Fayetteville Defts") for Extension of Time to File Response w/CERTIFICATE OF SERVICE, 6-14-91.	rle
06-18-91	100	NOTICE OF DEPOSITION by Pltf to depose Jack Manning on 6-20-91 at 1:00 p.m., Oak Hill, WV.	rle
06-18-91	101	CERTIFICATE OF SERVICE by Pltf of Notice of Deposition upon counsel of record on 6-14-91.	rle
06-24-91	102	MOTION of Defts. Fayette Co. Commission/Fayette Co. Sheriff's Dept. and C. E. Martin to Stay Proceedings and for Protective Order.	slr
	103	REPLY to Pltfs.' Joint Memorandum in Opposition to County Defts.' Motion for S/J by Fayette Co. Commission/Fayette Co. Sheriff's Dept. and C.E. Martin.	slr
06-26-91	104	REPLY of Defts. Town of Fayetteville, Fayetteville Police Dept., Officer R. R. Smith and Officer William Curry in Support of Their Motion for S/J.	slr

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. 5:89-1457
MICHAEL PRITCHARD, JR.		TOWN OF FAYETTEVILLE, et al	PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	
	2		
07-01-91	105	MOTION of Pltfs, Michael Pritchard, Jr. and Lewis E. Arbogast, Adm of Estate of Lisa Arbogast, to Continue the Trial Date and Related Pre-trial Dates Forty-Five to Sixty days.	rle
07-05-91	106	RESPONSE of Deft. William D. Smith, to the Pltfs. Motion to Continue Trial and Related Pre-trial dates.	cds
07-09-91	107	MOTION of Defts. Town of Fayetteville, Fayetteville Police Dept., Ofc. R. R. Smith, and Ofc. Wm. Curry for Status Conference.	slr
	108	MOTION of Defts. Town of Fayetteville, Fayetteville Police Dept., R. R. Smith and Ofc. Wm. Curry to Disqualify Pltf.'s Atty., Jeremy H. West.	slr
	109	MEMORANDUM of Defts. Town of Fayetteville, Fayetteville Police Dept., R.R. Smith and Wm. Curry in Support of Mtn. to Disqualify Jeremy H. West, Atty. for Pltf. Michael Pritchard, Jr.	slr
07-29-91	110	MEMORANDUM of Pltf in Opposition to Defts' Motion to Disqualify Pltf's Atty, Heremey H. West.	rle
07-29-91	111	MOTIONS in Limine of Defts. Town of Fayetteville, Fayetteville Police Dept. and Ofcs. R. R. Smith and William Curry.	slr
	112	MEMORANDUM of Law in Support of Mtn. in Limine of Defts. Town of Fayetteville, Fayetteville Police Dept. and Ofcs. R. R. Smith and William Curry.	slr
07-29-91	113	SUPPLEMENT to Reply Memorandum of Defts. Town of Fayetteville, Fayetteville Police Dept., Ofc. R. R. Smith and Ofc. William Curry in Support of Their Mtn. for S/J; these pages from the deposition of William D. Smith should be made a part of Exhibit A.	slr
08-22-91	114	CERTIFICATE OF SERVICE for Supplemental Response of the Defts., Fayette Co. Comm./Fayette Co. Sheriff's Dept. and C.E. Martin to the Request for Production of Documents Propounded by Pltf. Michael Lee Pritchard, Jr., Set No. One, served upon counsel of record on 08-21-91.	slr
08-30-91	115	ANSWER AND CROSSCLAIM of Deft, William D. Smith, to the Complaint filed against him.	rle
09-03-91	116	ANSWER of Defts Town of Fayetteville, Fayetteville Police Dept, Officer R.R. Smith and Officer William Curry to the Cross-Claim of Deft William D. Smith.	rle
09-04-91	117	INSTRUCTIONS of Deft. William D. Smith (23)	slr
09-04-91	118	ORDER (2511): pltf. Pritchard's motion for continuance is GRANTED; that a status conference/settlement conference 9-23-91 1:30 p.m., ; proposed charges to jury submitted by 11-5-91; PTC 10-21-91 3:00 p.m., BK; FSC 11-12-91 2:00 p.m., BK; TRIAL 11-13-91 9:30 a.m., BK. cc/counsel. (EOD 9-4-91).	cds

DC HIA
(RQ)

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. 5:89-1457
MICHAEL PRITCHARD, JR.		TOWN OF FAYETTEVILLE, et al	
DATE	NR.	PROCEEDINGS	PAGE ____ OF ____ PAGES

09-05-91	119	ANSWER of Fayette Co Commission/Fayette Co Sheriff's Dept and Deputy C. E. Martin to the Crossclaim of William D. Smith.	rle
09-05-91	120	COPY OF LETTER from Atty Jon L. Brown to Atty James M. Henderson, II <u>in re</u> State of WV having been dismissed from this action.	rle
09-09-91	121	NOTICE by Atty James M. Henderson, II, attys for William D. Smith, of Scheduling Conflicts.	rle
09-12-91	122	ORDER (2511): In accordance w/conflict resolution provisions, it is ORDERED that this Court's September 4, 1991 order be AMENDED as follows: Proposed Charges to Jury, 1-14-92; PTC, 1-9-92 at 2:00 p.m., USDC, BE; FSC, 1-21-92, at 1:30 p.m., USDC, BE; and Trial, 1-22-91 at 9:30 a.m., USDC, BE. All other portions of the 9-4-91 order remain in full force and effect, including establishment of a status conference/settlement conference to be held in USDC, BE on 9-23-91 at 1:30 p.m. cc: counsel of record (EOD 09-12-91)	rle
09-18-91	123	ORDER APPROVING DISTRIBUTION OF SETTLEMENT PROCEEDS (2511): vacating the consolidation of 5:89-1457 and 5:89-1470, and approving the compromise and distribution of settlement proceeds proposed by the Pltf. for 5:89-1470. The Administrator is authorized to execute a release to the defts. and to distribute the settlement proceeds in accordance with this order. Case No. 5:89-1470 is dismissed w/prejudice and stricken from the docket of this Court. cc: atys. (EOD 09-18-91)	slr
09-20-91	124	MOTION of Pltf Michael Pritchard, Jr. to Continue the Status Conference/ Settlement Conference Date Presently Set Herein for September 23, 1991.	rle
12-06-91	125	ORDER (2511): scheduling a status/settlement conference in this matter to be held 12-19-91, 1:30 p.m., Beckley. All parties or their official rep. where appro. and w/full settlement authority shall attend such conference w/their counsel. cc: atys. (EOD 12-06-91)	slr
12-20-91	126	ORDER (2511): scheduling a status/settlement conference to be held on 01-08-92, 1:30 p.m., Beckley. All counsel and parties and/or their official representatives w/full settlement authority are ORDERED to attend in person or else be held in contempt of this Court's Order and sanctioned appropriately. cc: all parties (except Pltf. - no address was available), all counsel and all concerned parties, via cert. mail, RRR (EOD 12-26-91)	slr
***		NOTIFIED Law Clerk Rick Monahan that counsel for Pltf. was unable to obtain a current address for Pltf.; Pltf. has recently moved to Washington, D.C.	slr
01-10-92	127	STIPULATION OF DISMISSAL OF ALL CLAIMS ASSERTED AGAINST DEFT. ANNA HAGUE, with prejudice.	slr
01-15-92	128	ORDER (2511): that the Clerk of this Court shall provide counsel of record in this case with a jury list and questionnaire. cc/counsel.	cds

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. 5:89-1457
MICHAEL PRITCHARD, JR.		TOWN OF FAYETTEVILLE, et al	PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	R
01-15-92	129	MOTION IN LIMINE by Deft William D. Smith.	rle
01-15-92	130	MOTIONS IN LIMINE by Pltf Michael Lee Pritchard.	rle
01-15-92	131	MEMORANDUM OF LAW by Pltf in Support of his Motions In Limine.	rle
01-15-92	132	PROPOSED JURY INSTRUCTIONS of Pltf (13 instructions).	rle
01-27-92	133	NOTICE of Deft. William D. Smith of Scheduling Conflicts.	slr
01-30-92	**	COURTROOM MEMO: Settlement conference held, 3 hrs (EVH/Bshara/Monahan)	rle
01-31-92	134	ORDER (2511): scheduling the remaining disp. of this matter as follows: (1) FSC 2:00 p.m., 04-20-92, BK.; TRIAL 9:30 a.m., 04-21-92, BK. cc: atys. (EOD 02-03-92)	slr
02-05-92	135	AGREED ORDER OF DISMISSAL (2511): that the claims of the pltf. and any cross-claim against defts. Town of Fayetteville, Fayetteville Police Dept. Officer R.R. Smith, Officer William Curry, Fay. Co. Sheriff's Deputy CE Martin and the State of West Virginia are dismissed with prejudice. cc/counsel. EOD 02-06-92).	cds
04-20-92	136	MOTION by Michael Pritchard, Jr., to Continue final settlement conference and trial presently set herein for 4/20/92 and 4/21/92 respectively.	cds
05-27-92	137	ORDER (2511): amending the earlier TFO as follows: (1) Proposed Chrgs. to the Jury shall be filed by 10-19-92; (2) PTC shall be held at 3:30 p.m., 10-13-92, BK.; (3) FSC shall be held at 1:30 p.m., 10-26-92, BK.; (4) TRIAL shall be held at 9:30 a.m., 10-27-92, BK. cc: atys.	slr
10-20-92	138	ORDER SUBSTITUTING COUNSEL (2511): substituting Ralph Young as local counsel for Michael Pritchard and that Robert Berthold, Jr. be relieved as local counsel. cc/counsel. (EOD 10-20-92).	cds
12-14-92	139	ORDER (2511): that Pltfs. request for a stay is GRANTED; Clerk is directed to remove this action from the Court's active docket and to place it on the Court's inactive docket; that pltfs. counsel or an authorized representative shall file a status report regarding his medical condition & ability to continue representation in this action no later than 3/1/92. cc/counsel. cds	
		CLOSED	
03-01-93	140	MOTION of Pltf. to Lift Stay of Proceedings and Set Matter for Trial (Status Report)	slr
03-01-93	***	SKELETON CASE entered into the automated docketing system; all future entries shall be on the automated system	slr